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12 Attorneys for Defendant Google Inc.

13 **UNITED STATES DISTRICT COURT**

14 **NORTHERN DISTRICT OF CALIFORNIA, SAN JOSE DIVISION**

15 CLRB HANSON INDUSTRIES, LLC d/b/a  
16 INDUSTRIAL PRINTING, and HOWARD  
17 STERN, on behalf of themselves and all others  
18 similarly situated,

19 Plaintiffs,

20 v.

21 GOOGLE, INC.,

22 Defendant.

CASE NO. C O5-03649 JW

**DECLARATION OF M.  
CHRISTOPHER JHANG IN  
RESPONSE TO PLAINTIFFS'  
OPPOSITION TO GOOGLE INC.'S  
ADMINISTRATIVE MOTION FOR  
LEAVE TO FILE DOCUMENTS  
UNDER SEAL IN CONNECTION  
WITH GOOGLE INC.'S REPLY TO  
PLAINTIFFS' SUPPLEMENTAL  
OPPOSITION (DOCUMENT NOS. 171-  
172)**

Date: June 11, 2007

Time: 9:00 a.m.

Dept.: Courtroom 8

Judge: Honorable James Ware

1 I, M. Christopher Jhang, hereby declare as follows:

2 1. I am an attorney duly licensed to practice law in all of the courts of the State of  
3 California and this Court, and am an attorney with the law firm of Perkins Coie LLP, counsel for  
4 defendant Google Inc. ("Google") in this action. Pursuant to Civil Local Rule 79-5(d), I submit  
5 this declaration in response to the Declaration of Michele F. Raphael In Opposition To  
6 Defendant Google Inc.'s Administrative Motion For Leave To File Documents Under Seal In  
7 Connection With Google Inc.'s Reply To Plaintiffs' Supplemental Opposition To Google Inc.'s  
8 Motion For Summary Judgment ("Plaintiffs' Opposition to Seal Documents"), filed with this  
9 Court on May 30, 2007 (Document Nos. 171-172). I have personal knowledge of the facts set  
10 forth below except as to those matters stated on information and belief, and as to those matters, I  
11 believe them to be true. If called upon to testify, I could and would testify competently as to the  
12 matters set forth herein.

13 2. Google's Reply To Plaintiffs' Supplemental Opposition To Google's Motion For  
14 Summary Judgment ("Google's Supplemental Reply") contains, discusses, or refers to  
15 information or documents that Google considers to be confidential, proprietary, or trade secret  
16 information. It discusses the operation of Google's AdWords system and references deposition  
17 testimony of Google's software engineers regarding Google's internal processes and information  
18 not available to the public, including proprietary technology related to the AdWords program and  
19 the development of new technology.

20 3. The deposition transcripts of Google's witnesses, portions of which are attached  
21 as Exhibits A, B, and C to the Supplemental Declaration of M. Christopher Jhang In Support of  
22 Google's Supplemental Reply ("Supplemental Jhang Declaration"), are confidential, in whole or  
23 in part, as set forth in the declaration supporting Google's motion to seal. *See* Declaration of M.  
24 Christopher Jhang In Support of Google Inc.'s Motion For Leave To File Documents Under Seal  
25 In Connection With Google Inc.'s Reply To Plaintiffs' Supplemental Opposition To Google  
26 Inc.'s Motion For Summary Judgment, ¶¶ 5-7. Notably, these transcripts that are the subject of  
27 Plaintiffs' complaints are the result of additional discovery ordered by the Court regarding "how  
28

